

**CITY COUNCIL MEETING
NOVEMBER 26, 2002**

Date & Time	On the 26 th day of November, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 10:34 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted:
Invocation	The invocation was given by Reverend Christina Barrow, Aquarian Center of Light in Fort Worth.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Lane, seconded by Council Member Haskin, the minutes of the regular meeting of November 19, 2002, were approved unanimously.
Special Presentations	<p>Council Member Haskin presented a Proclamation for Virginia Hyatt Day.</p> <p>Mayor Pro tempore McCloud presented a Proclamation for Tom Armstrong Day.</p> <p>Council Member Lane presented a Proclamation for Fort Worth Brahmas Day to Mr. Mike Barack, General Manager and team members. Members of the Brahmas presented each Council Member with a replica of the brahmas and presented the Mayor and the City Manager with a Team jersey.</p> <p>Mayor Pro tempore McCloud and Council Member Moss drew the following names as the 2002 Employee Ozone Incentive Grand Prize Winners:</p> <p style="padding-left: 40px;">Maria Guzman – Sundance Square Weekend (Val. at \$588) Thenisha Smith - Sundance Square Weekend (Val. at \$588) Beth Ellis – Electric Mulching Lawn Mower (Val. at \$375)</p>
Announcements	Council Member Picht suggested that the City Council be proactive and place the Hotel issue as a referendum before the voters as a good faith effort.

Council Member Lane announced that the Parade of Lights would take place Friday, November 29, 2002, and invited the parents and children to come and participate in the lighting of the Christmas Tree.

Council Member Wentworth spoke in favor of the Hotel, stating that it was not in a high ozone level, not risky, and was something that the City desperately needed.

**Withdrawn from
Consent Agenda** **Council Member Silcox requested that Mayor and Council Communication No. G-13811 be withdrawn from the consent agenda.**

City Manager Jackson requested that Mayor and Council Communication Nos. L-13455 and C-19364 be withdrawn from the consent agenda.

**Continued/
Withdrawn By
Staff** **City Manager Jackson requested that Mayor and Council Communication No. P-9690 be continued until December 17, 2002; L-13445 be continued until December 10, 2002; and L-13455 be continued until January 7, 2003.**

Consent Agenda **On motion of Council Member Silcox, seconded by Council Member Wentworth, the consent agenda was adopted unanimously.**

Appointments **Council Member Haskin made a motion, seconded by Council Member Lane, to reappoint Larvano Grider to the Building Standards Commission effective November 26, 2002, and with a term expiring September 30, 2004, and to reappoint Lorie Offutt Kinler to Place 4 on the Historic & Cultural Landmarks Commission, with a term expiring October 1, 2004.**

Council Member Haskin made a motion, seconded by Council Member Wentworth to reconsider Mayor and Council Communication No. G-13730 Amended for next week's agenda.

Council Member Silcox made a substitute motion, seconded by Council Member Lane, not to reconsider Mayor and Council Communication No. G-13730 Amended. The motion failed by the following vote:

AYES: Mayor Barr; Council Members Lane, Silcox, and Picht

NOES: Mayor Pro tempore McCloud; Council Members Haskin, Moss, Wentworth, and Davis

ABSENT: None

The motion to reconsider Mayor and Council Communication No. G-13730 Amended for next week's agenda was approved by the following vote:

AYES: Mayor Pro tempore McCloud; Council Members Haskin, Moss, Wentworth, and Davis

NOES: Mayor Barr; Council Members Lane, Silcox, and Picht

ABSENT: None

**OCS-1319
Claims**

There was presented Mayor and Council Communication No. OCS-1319 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13809
Approve 2002 Ad
Valorem Tax Roll**

There was presented Mayor and Council Communication No. G-13809 from the City Manager recommending that the City Council approve the 2002 Ad Valorem Tax Roll of total appraised value of \$34,257,618,007.00, with the actual tax levy at \$202,595,171.00. It was the consensus of the City Council that the recommendation be adopted.

**G-13810
Payment to
ONCOR for
Relocation of
Electric
Transmission
Lines**

There was presented Mayor and Council Communication No. G-13810 from the City Manager recommending that the City Council authorize the City Manager to approve payment to ONCOR, in the amount of \$77,791.52, for the relocation of electric transmission lines for the reconstruction of the Randol Mill Road Bridge at IH-820. It was the consensus of the City Council that the recommendation be adopted.

**G-13811
Ord. #15340
Ord. #15341
Rescind
Recommendation
Nos. 1-4 of M&C
C-19212 &
Authorize
Alternate
Funding Strategy
for SH-121T
Project**

There was presented Mayor and Council Communication No. G-13811 from the City Manager recommending that the City Council:

- 1. Authorize an alternate funding strategy to the one previously approved by the City Council on August 27, 2002 (M&C C-19212), for the SH-121T (Southwest Parkway) project; and**
- 2. Authorize rescission of recommendations 1 through 4 of M&C C-19212; and**
- 3. Adopt Appropriation Ordinance No. 15340 increasing estimated receipts and appropriations in the Special Assessments Fund in the amount of \$566,864.16 from available funds, for the purpose of funding, in part, the SH-121T (Southwest Parkway) project; repealing Ordinance No. 15216 and Ordinance No. 15217; and**
- 4. Approve the transfer of \$566,864.16 from the Special Assessments Fund to the SH-121T Southwest Parkway Fund; and**
- 5. Adopt Appropriation Ordinance No. 15341 increasing estimated receipts and appropriations in the SH-121T Southwest Parkway Fund in the amount of \$566,864.16 from available funds, for the purpose of funding, in part, the SH-121T (Southwest Parkway) project; repealing Ordinance No. 15216 and Ordinance No. 15217.**

Council Member Silcox made a motion, seconded by Council Member Picht, that the recommendations be adopted.

Council Member Davis suggested that an amendment be made to this M&C to restore the Special Assessment Fund to either minimum level or current level when we fund the remaining aspects of this project.

Council Member Wentworth advised staff that he would like an explanation regarding the misunderstanding that occurred.

The motion to approve Mayor and Council Communication No. G-13811, as amended, was adopted unanimously.

**G-13812
Juvenile
Accountability
Incentive Block
Grant Funding
Waiver, Fiscal
Year 2002**

There was presented Mayor and Council Communication No. G-13812 from the City Manager recommending that the City Council authorize the City Manager or his designee, the Assistant City Manager for Public Safety, Libby Watson, to sign the Application Waiver for the Juvenile Accountability Incentive Block grant monies from the Texas Criminal Justice Division in the amount of \$250,182.00 to the Tarrant County Juvenile Services in support of the four purpose areas chosen by the Juvenile Crime Enforcement Coalition. It was the consensus of the City Council that the recommendation be adopted.

Public Hearing

It appeared that the City Council set today as the date for a public hearing to designate the Hemphill/Berry area as Reinvestment Zone No. 7. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Elizee Michel, representing the Housing Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13813, as follows:

**G-13813
Res. #2892
Ord. #15342
Designate
Hemphill/Berry
Area as NEZ &
FWNERZ #7**

There was presented Mayor and Council Communication No. G-13813 from the City Manager recommending that the City Council:

1. Adopt Resolution No. 2892 to designate the Hemphill/Berry area as a Neighborhood Empowerment Zone (NEZ); and
2. Hold a public hearing concerning the designation of the Hemphill/Berry area as Fort Worth Neighborhood Empowerment Reinvestment Zone (FWNERZ) No. 7; and
3. Adopt Ordinance No. 15342 designating a certain area in the City of Fort Worth as "Neighborhood Empowerment Reinvestment Zone No. 7, City of Fort Worth, Texas"; providing the effective and expiration dates for the Zone and a mechanism for renewal of the Zone; and containing other matters related to the Zone.

There being no one else present desiring to be heard in connection with the public hearing to designate the Hemphill/Berry area as Reinvestment Zone No. 7, Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the public hearing be closed and Mayor and Council Communication No. G-13813 be adopted. The motion carried unanimously.

Public Hearing It appeared that the City Council set today as the date for a public hearing to designate the Magnolia Village area as Reinvestment Zone No. 5. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Elizee Michel, representing the Housing Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13814, as follows:

**G-13814
Res. #2893
Ord. #15343** There was presented Mayor and Council Communication No. G-13814 from the City Manager recommending that the City Council:

**Designate
Magnolia Village
Area as NEZ &
FWNERZ #5**

1. Adopt Resolution No. 2893 to designate the Magnolia Village area as a Neighborhood Empowerment Zone (NEZ); and
2. Hold a public hearing concerning the designation of the Magnolia Village area as Fort Worth Neighborhood Empowerment Reinvestment Zone (FWNERZ) No. 5; and
3. Adopt Ordinance No. 15343 designating a certain area in the City of Fort Worth as "Neighborhood Empowerment Reinvestment Zone No. 5, City of Fort Worth, Texas"; providing the effective and expiration dates for the Zone and a mechanism for renewal of the Zone; and containing other matters related to the Zone.

There being no one else present desiring to be heard in connection with the public hearing to designate the Magnolia Village area as Reinvestment Zone No. 5, Council Member Davis made a motion, seconded by Council Member Wentworth, that the public hearing be closed and that Mayor and Council Communication No. G-13814 be adopted. The motion carried unanimously.

Public Hearing It appeared that the City Council set today as the date for a public hearing to designate the Polytechnic/Wesleyan area as Reinvestment Zone No. 6. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Elizee Michel, representing the Housing Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13815, as follows:

**G-13815
Res. #2894
Ord. #15344
Designate
Polytechnic/
Wesleyan Area
as NEZ &
FWNERZ #6**

There was presented Mayor and Council Communication No. G-13815 from the City Manager recommending that the City Council:

1. Adopt Resolution No. 2894 to designate the Polytechnic/Wesleyan area as a Neighborhood Empowerment Zone (NEZ); and
2. Hold a public hearing concerning the designation of the Polytechnic/Wesleyan area as Fort Worth Neighborhood Empowerment Reinvestment Zone (FWNERZ) No. 6; and
3. Adopt Ordinance No. 15344 designating a certain area in the City of Fort Worth as "Neighborhood Empowerment Reinvestment Zone No. 6, City of Fort Worth, Texas"; providing the effective and expiration dates for the Zone and a mechanism for renewal of the Zone; and containing other matters related to the Zone.

There being no one else present desiring to be heard in connection with the public hearing to designate the Polytechnic/Wesleyan area as Reinvestment Zone No. 6, Mayor Pro tempore McCloud made a motion, seconded by Council Member Moss, that the public hearing be closed and the Mayor and Council Communication No. G-13815 be adopted. The motion carried unanimously.

**P-9690 Revised
Continued Until
December 17,
2002**

It was the consensus of the City Council that Mayor and Council Communication No. P-9690, Revised, Professional Services Contract with Avizion Technologies Group, Inc. to Provide Interim Mainframe Operating Environment Support for the Information Technology Solutions Department, be continued until December 17, 2002. The motion carried unanimously.

**P-9715
Long Distance
Service**

There was presented Mayor and Council Communication No. P-9715 from the City Manager recommending that the City Council authorize a purchase agreement for long distance service with SBC Southwestern Bell Telephone Company; and authorize this agreement to begin December 10, 2002, and expire December 9, 2003, with options to renew for two additional one-year periods; and authorize a transition period of a maximum of 90 days from the current long distance agreement with AT&T Communications. It was the consensus of the City Council that the recommendation be adopted.

**P-9716
Demolition of
Residential
Structures**

There was presented Mayor and Council Communication No. P-9716 from the City Manager recommending that the City Council:

- 1. Authorize a non-exclusive purchase agreement with the following vendors for demolition of residential structures with payment due 30 days after receipt of the invoice; and**

**Primary Vendor
Arc Abatement, Inc.
\$1.05 per square foot**

**Secondary Vendor
F. Hall Mowing
\$1.24 per square feet**

- 2. Authorize this agreement to begin November 19, 2002, and expire November 18, 2003, with options to renew for two additional one-year periods.**

It was the consensus of the City Council that the recommendation be adopted.

**P-9717
Ord. #15345
New Truck
Chassis**

There was presented Mayor and Council Communication No. P-9717 from the City Manager recommending that the City Council:

- 1. Authorize the purchase of a new truck chassis from an interlocal purchasing program for the Fire Department at a cost not to exceed \$62,511.56 with payment due within 30 days of the date of invoice. Freight is included in the unit price. (The interlocal purchasing program to be utilized will be pricing established in the City of Bedford (Bid No. 02-0509A) and will be purchased from the successful vendor, International Trucks of Houston); and**
- 2. Adopt Appropriation Ordinance No. 15345 increasing estimated receipts and appropriations in the New Equipment Purchases Fund in the amount of \$62,511.56 to be obtained through the City's Equipment Note program for the purpose of funding the purchase of one new truck chassis through an interlocal purchasing program with the City of Bedford from International Trucks of Houston.**

It was the consensus of the City Council that the recommendation be adopted.

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| P-9718
Payroll/Personnel
Software
Maintenance | There was presented Mayor and Council Communication No. P-9718 from the City Manager recommending that the City Council authorize a purchase agreement for maintenance of the Genesys payroll/personnel software for the Human Resources Department with Genesys Software Systems, Inc. for \$65,656.00 based on the documented sole source; and authorize this agreement to begin November 26, 2002, and expire November 25, 2003, with no additional renewal options. It was the consensus of the City Council that the recommendation be adopted. |
| L-13445
Continued Until
December 10,
2002 | It was the consensus of the City Council that Mayor and Council Communication No. L-13445, Approval for Proposed Disposal of Surplus Right-of-Way in Fort Worth, Tarrant County, on Interstate Highway 30 at Photo Street, be continued until December 10, 2002. |
| L-13455
Continued Until
January 7, 2003 | It was the consensus of the City Council that Mayor and Council Communication No. L-13455, Approval for Proposed Disposal of Surplus Drainage easement in Fort Worth, Tarrant County, on R.M. 2871, Tract 12-98, be continued until January 7, 2003. |
| PZ-2434
Ord. #15346
Utility Easement
Vacation
VA-01-011 | There was presented Mayor and Council Communication No. PZ-2434 from the City Manager recommending that the City Council adopt Ordinance No. 15346 vacating a 7.5 foot wide by 375 foot long utility easement within Lot 1, Block 1, Cahoba Drive, Cahoba Business Addition, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted. |
| PZ-2435
Ord. #15347
Alley Vacations
VA-02-054 | <p>There was presented Mayor and Council Communication No. PZ-2435 from the City Manager recommending that the City Council adopt Ordinance No. 15347 vacating eight alleys measuring 16 feet wide by 3,964 feet long each, totaling 63,427 square feet of land, as follows:</p> <ul style="list-style-type: none">a) Blocks 14, 17, 24 and 27, Chamberlin Arlington Heights Fourth Filing, Tarrant County, Texas; andb) Block 125, 155, 156 and 180, Chamberlin Arlington Heights First Filing, Tarrant County, Texas; andc) Block 508, Chamberlin Arlington Heights Second Filing, Tarrant County, Texas. |

Council Member Moss informed Council that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting on this item and on Mayor and Council Communication No. PZ-2436.

Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Picht, Wentworth, and Davis

NOES: None

ABSENT: None

NOT VOTING: Council Member Moss

PZ-2436
Ord. #15348
Street and Alley
Vacations
VA-02-068

There was presented Mayor and Council Communication No. PZ-2436 from the City Manager recommending that the City Council adopt Ordinance No. 15348 vacating the following street and alleys:

- a) A 62-foot wide right-of-way: 800 Block of 32nd Street, situated between Blocks 96 and 97, M. G. Ellis Addition, Tarrant County, Texas; and
- b) A 20-foot wide alley: Portion of the 20-foot alley situated in Block 96, M. G. Ellis Addition, Tarrant County, Texas; and
- c) A 20-foot wide alley: Portion of the 20 foot alley situated in Block 97, M. G. Ellis Addition, Tarrant County, Texas.

Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Picht, Wentworth, and Davis

NOES: None

ABSENT: None

NOT VOTING: Council Member Moss

C-19359
La Vida News &
La Semana
Newspapers

There was presented Mayor and Council Communication No. C-19359 from the City Manager recommending that the City Council authorize the City Manager to execute contract with the La Vida News and La Semana newspapers in the amount of \$32,448.00 each to publish the City of Fort Worth "City Page" each week from October 1, 2002, through September 30, 2003. It was the consensus of the City Council that the recommendation be adopted.

C-19360
Fort Worth Star-
Telegram

There was presented Mayor and Council Communication No. C-19360 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with the Fort Worth Star-Telegram in the amount of \$83,824.00 for publication of the weekly "City Page" from October 1, 2002, through September 30, 2003. It was the consensus of the City Council that the recommendation be adopted.

C-19361
A.L.S.
Enterprises, Inc.

There was presented Mayor and Council Communication No. C-19361 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with A.L.S. Enterprises, Inc. authorizing the use of the right-of-way for continuance of a retaining wall at 3109 Lee Avenue. It is further recommended that any future contractual assignments (to a third party) be approved by the City Manager or designated Assistant City Manager. It was the consensus of the City Council that the recommendation be adopted.

C-19362
Trinity River
Authority of
Texas

There was presented Mayor and Council Communication No. C-19362 from the City Manager recommending that the City Council authorize the City Manager to execute an Interlocal Agreement with the Trinity River Authority of Texas for reimbursement of utility relocations for the construction of Trinity Boulevard from Greenbelt Road to FM157. It was the consensus of the City Council that the recommendation be adopted.

C-19363
Ord. #15349
TxDOT

There was presented Mayor and Council Communication No. C-19363 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute a Local Transportation Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for Transportation Enhancement Funds in the amount of \$1,125,000.00, for Ninth Street from Throckmorton Street to Jones Street; and

- 2. Authorize the City Manager to enter into an Interlocal Agreement with the Fort Worth Transportation Authority (The "T") outlining funding and project management responsibilities; and**
- 3. Adopt Appropriation Ordinance No. 15349 increasing estimated receipts and appropriations in the Critical Projects Fund in the amount of \$187,500.00 from contributions from The "T", for the purpose of funding the Ninth Street pedestrian and streetscape improvements project; and**
- 4. Authorize the City Manager to remit a check in the amount of \$10,000.00 made payable to TxDOT for administration of the project as required by the LPAFA; and**
- 5. Authorize the City Manager to issue a Request for Proposals for the design of pedestrian and streetscape improvements to Ninth Street from Throckmorton Street to Jones Street.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19364
Moved to End of
Agenda**

It was the consensus of the City Council that Mayor and Council Communication No. C-19364, Adoption of Resolution Designating "Hyde Park" as the Official Name for the Proposed Transit-Oriented Civic Square at Ninth and Throckmorton Streets; Authorization for the City Manager to Enter into an Interlocal Agreement with the Fort Worth Transportation Authority for the Hyde Park project, be moved to the end of the agenda.

**C-19365
Ord. #15350
TxDOT,
Downtown Fort
Worth, Inc.,
Cultural District
Committee &
Stockyards
Station**

There was presented Mayor and Council Communication No. C-19365 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept a Congestion Mitigation and Air Quality grant from the Federal Highway Administration in the amount of \$336,300.00 for a coordinated wayfinding program; and**
- 2. Authorize the City Manager to execute a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) in the amount of \$336,300.00 for a signage and information system that would direct visitors to destinations in Downtown Fort Worth, the Cultural District, and the Historic Stockyards; and**

- 3. Authorize the City Manager to execute with Downtown Fort Worth, Inc., the Cultural District Committee, and Stockyards Station for the local match of \$233,700.00 (\$93,480.00 cash and \$140,220.00 in-kind); and**
- 4. Authorize payment in the amount of \$2,500.00 from said local match to TxDOT to cover the cost for the state's review of plans and specifications in accordance with the LPAFA; and**
- 5. Adopt Appropriation Ordinance No. 15350 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$570,000.00 upon receipt of the grant, for the purpose of funding development of a signage and information system.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19366
Tarrant County**

There was presented Mayor and Council Communication No. C-19366 from the City Manager recommending that the City Council authorize the City Manager to renew the Interlocal Agreement with Tarrant County to provide mowing services along rural rights-of-way located within Precinct No. 4 at a cost not to exceed \$20,000.00; and authorize the agreement to begin October 1, 2002, and expire September 30, 2003, or when the cap amount of \$20,000.00 is reached, whichever comes first. It was the consensus of the City Council that the recommendation be adopted.

**C-19367
Ken Moore
Enterprises**

There was presented Mayor and Council Communication No. C-19367 from the City Manager recommending that the City Council authorize the City Manager to extend the contract between Ken Moore Enterprises Company and the City of Fort Worth to provide concession services at Will Rogers Memorial Center; and authorize this contract to begin April 1, 2002, and expire June 30, 2005. It was the consensus of the City Council that the recommendation be adopted.

**C-19368
Certes
Environmental
Laboratories,
L.L.C.**

There was presented Mayor and Council Communication No. C-19368 from the City Manager recommending that the City Council authorize the City Manager to execute a professional services contract with Certes Environmental Laboratories, L.L.C. for analytical laboratory services for an amount not to exceed

\$100,000.00 per year; and authorize the contract to begin December 1, 2002, and expire November 30, 2003, with the option to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**C-19369
Johnson
Controls, Inc.**

There was presented Mayor and Council Communication No. C-19369 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Johnson Controls, Inc. to conduct a detailed energy audit and engineering evaluation of the City's Municipal Complex (City Hall, Public Safety Building, and City Hall Annex) and Fort Worth Meacham International Airport terminal building for an estimated cost of \$93,400.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19370
Terminate CSC
#27565 – Rope
Construction,
Inc.**

There was presented Mayor and Council Communication No. C-19370 from the City Manager recommending that the City Council authorize the City Manager to terminate City Secretary Contract No. 27565 with Rope Construction, Inc. for water and sewer replacements in White Settlement Road from University Drive to Westview Avenue.

Adame McCorkle

Ms. Adame McCorkle, 454 CR1516, appeared before the City Council and advised them that they have consistently had problems with the City Inspector on this project, and requested that Council defer a decision on terminating their contract.

Troy Turner

Mr. Troy Turner, 230 Finny Oaks Lane, Weatherford, TX, appeared before the City Council and expressed opposition in terminating the contract, stating that they only lack about two weeks from completing the job.

Mayor Barr suggested that this item be delayed until after executive session.

**Public Hearing
1817 Andrew
Avenue
HS-01-163**

It appeared that the City Council, at its meeting of August 27, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 1817 Andrew Avenue. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 1817 Andrew Avenue, and recommended that Council reverse the decision of the Building Standards Commission and remand this case back to the Building Standard Commission.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 1817 Andrew Avenue, Council Member Moss made a motion, seconded by Council Member Davis, that Case No. HS-01-163 be remanded back to the Building Standards Commission. The motion carried unanimously.

**Public Hearing
2511 Clinton
Avenue
HS-02-02**

It appeared that the City Council, at its meeting of September 17, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 2511 Clinton Avenue. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 2511 Clinton Avenue, and recommended that Council uphold the decision of the Building Standards Commission.

Willie B. Ford

Ms. Willie B. Ford, 2501 Clinton, appeared before Council and requested that additional time be granted. She informed them that she had recently found full-time employment and that it would take time for the work to be completed since she would like to do the rehabilitation herself.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 2511 Clinton Avenue, Council Member Lane made a motion, seconded by Council Member Silcox, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission, and requested that staff continue to work with Ms. Ford to resolve this matter, and that demolition would be carried out after 30 days if no progress was made. The motion carried unanimously.

Council Member Picht excused himself from the Council table.

**Public Hearing
3121
Honeysuckle
Avenue
HS-02-213**

It appeared that the City Council, at its meeting of October 1, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 3121 Honeysuckle Avenue. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 3121 Honeysuckle Avenue, and recommended that Council uphold the decision of the Building Standards Commission by assessing a civil penalty of \$2,360.00.

Clem Connally

Mr. Clem Connally, POA for Fannie Hosch, 1705 Bluebonnet Drive, appeared before the City Council and advised them that the property could be fully completed by January 28, 2003.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 3121 Honeysuckle Avenue, Council Member Haskin made a motion, seconded by Council Member Lane, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission by assessing a civil penalty of \$2,360.00.

Council Member Wentworth made a substitute motion, seconded by Mayor Pro tempore McCloud, that the public hearing be continued until January 28, 2003, to allow for completion of the work. The motion carried by the following vote:

**AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Moss,
Picht, Wentworth, and Davis**

NOES: Council Member Haskin

ABSENT: None

Council Member Davis excused herself from the Council table.

**Public Hearing
3206 Refugio
Avenue & Rear
Structure
HS-01-336**

It appeared that the City Council set today as the date for a public hearing for the Appeal of the Order of the Building Standards Commission regarding 3206 Refugio Avenue and rear structure. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 3206 Refugio Avenue and rear structure, and recommended that Council uphold the decision of the Building Standards Commission by assessing a civil penalty of \$5,400.00.

Tom Williams

Mr. Tom Williams, Attorney for HGU Investment, Inc.; 201 Main Street #2200, appeared before City Council and requested an adjustment of the Building Standards Commission assessment. He agreed that some penalties should be assessed, but stated that the amount seemed excessive.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 3206 Refugio Avenue and rear structure, Council Member Lane made a motion, seconded by Council Member Moss, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission by assessing a civil penalty of \$5,400.00.

Council Member Lane requested that the assessment be against the company and not passed on to the tenant.

The motion carried unanimously.

Council Member Davis assumed her chair at this time.

**Public Hearing
5716 Fletcher
Avenue
HS-02-32**

It appeared that the City Council set today as the date for a public hearing for the Appeal of the Order of the Building Standards Commission regarding 5716 Fletcher Avenue. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 5716 Fletcher Avenue, and stated that he would be inclined to allow for some additional time in order to complete the repairs.

William Johnson

Mr. William Johnson appeared before the City Council and informed them that he had health problems that prevented him from completing the rehabilitation on the house. He further stated that if he had approximately two months to work he could complete these repairs.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 5716 Fletcher Avenue, Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the public hearing be continued until January 7, 2003, and that staff report on the progress of this case. The motion carried unanimously.

**Special Hearing
ZC-02-200
Approved**

It appeared that the City Council, at its meeting of November 12, 2002, continued the special hearing of the application of Idefonzo and Rosalba Veloz for a change in zoning of property located at 3320 Decatur Road from "E" Neighborhood Commercial to "FR" General Commercial Restricted, Zoning Docket No. ZC-02-200. (See Letter of Appeal) Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of Idefonzo and Rosalba Veloz, and in an effort to accomplish what Mr. Veloz was requesting, Council Member Lane made a motion, seconded by Mayor Pro tempore McCloud, that the Zoning Hearing be closed and that Zoning Docket No. ZC-02-200 be approved, as amended, by changing the "E" Neighborhood Commercial zoning to "PD/SU" Planned-Development Specific Use for an auto tire repair shop, with screening fence and landscaping required. The motion carried unanimously.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Lane made a motion, seconded by Mayor Pro tempore McCloud, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 15351

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.

Council Member Lane excused himself from the Council table at this time.

**Citizen
Presentations
Steve Murrin**

Mr. Steve Murrin, President of the Stockyards Business Association, 200 RM 21, appeared in support of the Fort Worth Convention Center Hotel; advised Council that the public responses that he has had was that they were not privy to information; and would like to work closer with the Convention and Visitor's Bureau in the future to boost tourism for the City.

**C-19364
Res. #2895
Fort Worth
Transportation
Authority**

There was presented Mayor and Council Communication No. C-19364 from the City Manager recommending that the City Council adopt Resolution No. 2895 designating "Hyde Park" as the official name for the proposed transit-oriented civic square surrounding the intersection of Ninth and Throckmorton Streets; and authorize the City Manager to enter into an Interlocal Agreement with the Fort Worth Transportation Authority outlining funding and project management responsibilities for the Hyde Park project.

City Manager Jackson called attention of the Council to the proposed amendment to Mayor and Council Communication No. C-19364, stating that the last paragraph under Discussion should read "Through the Interlocal Agreement, the City would manage property acquisition and would provide assistance with appraisals and surveys. The City would also manage the design, engineering, and construction phases of the project. The "T" would own the property to be acquired."

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that Mayor and Council Communication No. C-19364 be approved, as amended. The motion carried unanimously.

**Executive
Session**

It was the consensus of the City Council that they recess into Executive Session at 12:30 p.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules as authorized by Section 551.071 of the Texas Government Code:
 - a) Maria Espinoza et al v. Tarrant County, JPS Health Network-Diamond Hill Clinic and Fort Worth Fire Department, Cause No. 67-195047-02;

b) Jim Tate, J. R. Sullivan, Landon Stallings, Pat Vasquez, and Don Westmoreland, Jr. v. City of Fort Worth, Cause No. 348-194395-02;

c) Legal issues concerning Gateway Station Addition;

d) Legal issues concerning any City Council Agenda item; and

- 2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and**
- 3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and**
- 4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.**

Reconvened The City Council reconvened into regular session at 1:37 p.m.

**C-19370
Continued Until
December 17,
2002** **There was presented Mayor and Council Communication No. C-19370 from the City Manager recommending that the City Council authorize the City Manager to terminate City Secretary Contract No. 27565 with Rope Construction, Inc. for water and sewer replacements in White Settlement Road from University Drive to Westview Avenue. Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, to continue this M&C until December 17, 2002. The motion carried unanimously.**

Adjournment There being no further business, the meeting was adjourned at 1:38 p.m.